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JM-5630

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Ally Financial, Inc., aka Ally Capital, a secured creditor of the Debtor, objects to the Debtor's plan for the following reasons:

a. **910 CLAIM:** The vehicle in this matter (a 2017 JEEP PATRIOT) was purchased by the debtor on 7-9-18, less than 910 days prior to filing and cannot be crammed down. The plan should be amended to pay Ally Financial, Inc., aka Ally Capital the net loan balance at filing of \$18,888.48 with interest at 5.25%. The trustee should compute interest. If interest was pre-computed, the trustee would pay ALLY \$21,516.98 over 60 months.

- b. Adequate protection payments:** The plan should be modified to pay ALLY adequate protection payments of \$188 a month beginning in APRIL of 2020 (being 1% of the net loan balance). Adequate protection payments must be given super priority administrative expense status, paid ahead of attorney fees and continue after confirmation until regular distributions begin to be made to ALLY.
    - c. Proof of insurance:** The vehicle must be insured with comprehensive and collision insurance coverage and liability coverage in accordance with the requirements contained in the contract. Ally Financial, Inc., aka Ally Capital Auto Finance must be listed as loss payee or additional insured. **The Debtor must provide Ally Financial, Inc., aka Ally Capital with proof that the vehicle is insured in accordance with §1326(a)(4) and this portion of the objection to confirmation should be considered a demand that the Debtor provide proof of insurance.**
    - d. Ally Financial, Inc., aka Ally Capital must retain its lien on the vehicle following confirmation, until it is paid in full through the plan, the plan is completed by the debtor and the debtor receives a discharge.**

e. **Order of distributions:** The order of distributions must be changes to account for the priority of adequate protection payments to Ally Financial, Inc., aka Ally Capital.

/s/ John R. Morton, Jr.

John R. Morton, Jr., attorney for  
Ally Financial, Inc., aka Ally Capital

Dated: 6-11-20